

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**PROPOSED AMENDMENT**

**4 CSR 240-3.540 Annual Report [Filing]Submission Requirements for Telecommunications Companies.** The commission is proposing to amend the title of the rule, the purpose section of the rule and all existing sections of the rule, and to add four new sections to the rule and renumber the existing sections of the rule as needed.

*PURPOSE: The changes proposed in this amendment are intended to update the rule to comport with current commission procedures regarding the submission of annual reports by commission-regulated utilities. References to the commission's electronic information and filing system, and the use of that system, are also being added to the rule.*

*PURPOSE: Section 392.210.1, RSMo, includes a requirement that telecommunications companies subject to the commission's jurisdiction must submit an annual report to the commission. This rule establishes **the** standards for [filing]the submission of annual reports by **such** telecommunications companies[ subject to the jurisdiction of the Missouri Public Service Commission], including **the** procedures for[filing]submitting **non-public** annual report information[ under seal].*

**(1) Except for private pay telephone providers, which are exempted under the provisions of 4 CSR 240-3.505(1)(B), [All]all telecommunications [utilities subject to the jurisdiction of the Missouri Public Service Commission shall file]companies shall submit** an annual report **[with]to** the commission on or before April 15 of each year, *[except private pay telephone providers which are exempted under the provisions of 4 CSR 240-3.505(1)(B)]except as otherwise provided for in this rule.*

**(2) Telecommunications [utilities]companies shall [file]submit** their annual reports **[on ]either on** a form provided by the commission or on a computer-generated replica **[which]that** is acceptable to the commission. **Reports being submitted on paper are to be prepared in loose-leaf format and sent to the attention of the secretary of the commission. Computer-generated reports can be submitted through the commission's electronic filing and information system (EFIS). Attempts to substitute forms such as stockholder reports without concurrently submitting official commission forms with appropriate cross-references will be considered non-compliant.** All requested information shall be included in the annual report, where applicable, even if it has been provided in a previous annual report.

**(3) A telecommunications company that receives a notice from the commission stating that deficiencies exist in the information provided in the annual report shall respond to that notice within twenty (20) days after the date of the notice, and shall provide the information requested in the notice in its response.**

*[(3) Where a utility]***(4) If a telecommunications company** subject to this rule considers the information requested on the annual report form to be *[confidential, it must make a written request to the secretary of the commission to file that information under seal and state good cause for maintaining the information under seal. The secretary of the commission shall then, through the general counsel, present that request to the commission for approval. The secretary of the commission shall inform the utility within three (3) days of the commission decision whether the request has been granted.]non-public information, it must submit both a fully completed version to be kept under seal and a redacted public version that clearly informs the reader that the redacted information has been submitted as non-public*